

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOSEPH COX, JR.,)
)
)
Petitioner,)
)
-vs-) Case No. CIV-15-862-F
)
THE STATE OF OKLAHOMA,)
)
)
Respondent.)

ORDER

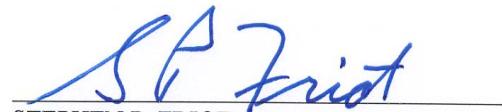
On August 17, 2015, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation recommending that petitioner's application for writ of habeas corpus complaining about his medical treatment be dismissed. In the Report and Recommendation, Magistrate Judge Mitchell also recommended that the court instruct petitioner that if he wishes to pursue his medical treatment claims, he must file a separate 42 U.S.C. § 1983 complaint.

Presently before the court is petitioner's objection to the Report and Recommendation. In accordance with 28 U.S.C. § 636(b)(1), the court has conducted a de novo review of the matter. Having done so, the court concurs with the analysis of Magistrate Judge Mitchell. The court concludes that petitioner's objection is without merit. The court therefore accepts, adopts and affirms the Report and Recommendation.

Accordingly, the Report and Recommendation of United States Magistrate Judge Suzanne Mitchell issued on August 17, 2015 (doc. no. 10) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Petitioner's application for a writ of habeas corpus

complaining of his medical treatment (doc. no. 8) is **DISMISSED**. If petitioner wishes to pursue his medical treatment claims, he must do so by filing a separate 42 U.S.C. § 1983 complaint.

DATED August 31, 2015.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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